

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KAULIKA TEHARA ARENSBERG,

Defendant.

CR 16-11-M-DWM-4

ORDER

On March 1, 2022, United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation with respect to the disposition of the revocation proceedings stemming from the January 25, 2022 petition for revocation of Defendant Kaulika Tehara Arensberg's supervised release. (Docs. 296, 305.) Based upon Defendant's admissions, Judge Cavan concluded Defendant violated the conditions of her release in the manner set forth in all four violations of the petition. (Doc. 305 at 3.) He therefore recommends that supervised release be revoked and that this Court sentence Defendant to time served and followed by 48 months of supervised release. (*Id.*)

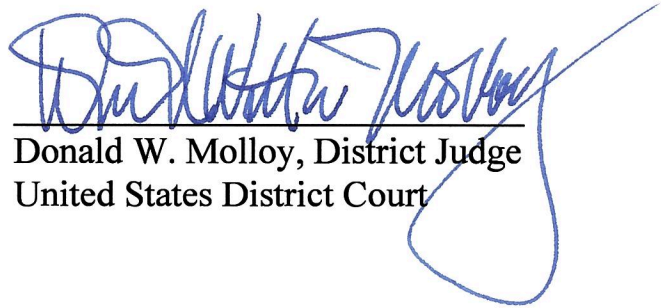
Neither party has filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendation under any standard it deems

appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). Finding no clear error in Judge Cavan’s conclusion that Defendant violated the conditions of her release in the manner set forth the petition, and that Defendant’s supervision should be revoked, the Court adopts those findings and recommendation.

Accordingly, IT IS ORDERED Judge Cavan’s Findings and Recommendation (Doc. 305) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant’s supervised release is revoked. Judgment will be entered by separate document.

DATED this 17th day of March, 2022.



Donald W. Molloy, District Judge
United States District Court